

02-19-2008

U.S. DEPARTMENT OF

United States Patent and Trademark Office



To the Director of the U.S. Patent and

103483184

documents or the new address (es) below.

1. Name of conveying party(ies):  
**SILICON VALLEY BANK**

☐ Individual(s)  
☐ General Partnership

☐ Association  
☐ Limited Partnership

☒ Corporation-State  
☐ Other

Additional name(s) of conveying parties attached? ☐ Yes ☒ No

3. Nature of conveyance/ Execution Date(s):

Execution Date(s): 2/11/2008

☐ Assignment  
☐ Security Agreement

☐ Merger  
☐ Change of Name

☒ Other : **Release**

2. Name and address of receiving party(ies):

Additional name(s) of conveying parties attached? ☐ Yes ☒ No

Name: **Ascension Orthopedics, Inc**

Internal Address

Street Address:  
**8700 Cameron Rd, STE 100**

City: **Austin**  
State: **TX**  
Country: **USA**

Zip: **78754**

☐ Association Citizenship  
☐ General Partnership Citizenship  
☐ Limited Partnership Citizenship  
☒ Corporation Citizenship  
☐ Other Citizenship

If assignee is not domiciled in the United States, a domestic representative designation is attached: ☐ Yes ☒ No  
(Designations must be a separate document from assignment)

4. Application number(s) or registration number(s) and identification or description of the Trademark:

A. Trademark Application No.(s)

B. Trademark Registration No.(s)  
**2232669 2581633**

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

Additional sheets attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Silicon Valley Bank**

Internal Address: **HF151**

Street Address: **3003 Tasman Drive**

City: **Santa Clara** State: **CA** ZIP: **95054**

Phone Number: **(408) 654-7297**

Fax Number: **(408) 654-6313**

Email Address: **zyang@svb.com**

6. Total number of applications and registrations involved: **2**

7. Total fee (37 CFR 2.6 (b)(6) & 3.41): **\$ 65.00**

☐ Authorized to be charged by credit card  
☐ Authorized to be charged to deposit account  
☒ Enclosed

8. Payment Information:

a. Credit Card Last 4 Numbers

Exp. 02/11/2008 08/11/2008 BYRNE 00000006 2232669

b. Deposit Account No. 01 FC:8521  
02 FC:8522  
Authorized User Name

40.00 OP  
25.00 OP

9. Signature.

Signature

February 11, 2008  
Date

Joy Yang  
Name of Person Signing

Total number of pages including cover sheet, attachments, and document:

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to: Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

TRADEMARK  
REEL: 003722 FRAME: 0244

2-1-05

02-03-2005

FORM PTO-1594

(Rev. 03/01)

OMR No. 0651-0027 (exp. 05/31/2002)



102933264

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

**ASCENSION ORTHOPEDICS, INC.**

☐ Individual(s)

☐ General Partnership

☒ Corporation-State

☐ Other

☐ Association

☐ Limited Partnership

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☐ Assignment

☐ Merger

☒ Security Agreement

☐ Change of Name

☐ Other

1/12/05

2. Name and address of receiving party(ies):

Name: **Silicon Valley Bank**

Internal Address: HA155

Street Address: 3003 Tasman Drive

City: Santa Clara

State: CA

ZIP: 95054

☐ Individual(s) citizenship

☐ Association

☐ General Partnership

☐ Limited Partnership

☒ Corporation-State-DE

☐ Other

If assignee is not domiciled in the United States, a domestic representative designation is attached: ☐ Yes ☐ No

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration number(s):

A. Trademark Application No.(s)

B. Trademark No.(s)

2,581,633

2,232,669

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Silicon Valley Bank**

Internal Address: Loan Documentation HA155

Street Address: 3003 Tasman Dr.

City: Santa Clara

State: Ca

ZIP: 95054

6. Total number of applications and registrations involved: 2

7. Total fee (37 CFR 3.41):

\$65.00

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Maribel Arteaga  
Name of Person Signing

Maribel Arteaga  
Signature

1/21/05  
Date

Shannon Hubbard

Total number of pages including cover sheet, attachments, and document:

02/03/2005 GTOW11 00000135 2581633

01 FC:8521

02 FC:8522

40.00 DP  
25.00 DP

Main documents to be recorded with required cover sheet information to:  
Commissioner of Patent & Trademarks, Box Assignments  
Washington, D.C. 20231


TRADEMARK  
REEL: 003722 FRAME: 0245

**RELEASE OF SECURITY AGREEMENT COVERING  
INTERESTS IN TRADEMARKS**

Silicon Valley Bank ("Secured Party"), hereby releases its security interest in the interests of **Ascension Orthopedics, INC** ("Assignor") in the trademarked works set forth in that certain **Intellectual Property And Security Agreement** dated 1/12/2005, executed by Assignor in favor of Secured Party recorded with the United States Department of Commerce, Patent and Trademark Office on 02/01/2005, Reel 3155, Frame 0075.

Dated: **2/11/2008**

SILICON VALLEY BANK

By:   
Name: Margaret Fujii  
Title: Operations Department Manager



United States Patent and Trademark Office

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Assignments on the Web > Trademark Query

Trademark Assignment Details

Reel/Frame: 3115/0075

Received: 02/03/2005

Recorded: 02/01/2005

Pages: 9

Conveyance: SECURITY INTEREST

Total properties: 2

1	Serial #: <u>75188666</u> Mark: ASCENSION	Filing Dt: 10/28/1996	Reg #: <u>2232669</u>	Reg. Dt: 03/16/1999
2	Serial #: <u>76220244</u> Mark: ASCENSION ORTHOPEDICS	Filing Dt: 03/06/2001	Reg #: <u>2581633</u>	Reg. Dt: 06/18/2002

Assignor

1 ASCENSION ORTHOPEDICS, INC.

Exec Dt: 01/12/2005

Entity Type: CORPORATION

Citizenship: NONE

Assignee

1 SILICON VALLEY BANK  
3003 TASMAN DRIVE  
HA155  
SANTA CLARA, CALIFORNIA 95054

\$ 65

Entity Type: CORPORATION

Citizenship: DELAWARE

Correspondence name and address

SILICON VALLEY BANK  
LOAN DOCUMENTATION HA155  
3003 TASMAN DR  
SANTA CLARA, CA 95054

Search Results as of: 01/17/2008 04:41 PM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350, v.2.0.1  
Web interface last modified: April 20, 2007 v.2.0.1

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Assignments on the Web > Trademark Query

Trademark Assignor Summary

Search Criteria: Assignor Name = ASCENSION ORTHO

Total: 2

SER#	REG#	NAME
<a href="#">75188666</a>	<a href="#">2232669</a>	<a href="#">ASCENSION ORTHOPEDICS, INC.</a>
<a href="#">76220244</a>	<a href="#">2581633</a>	<a href="#">ASCENSION ORTHOPEDICS, INC.</a>

Search Results as of: 01/17/2008 04:41 PM  
If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.0.1  
Web interface last modified: April 20, 2007 v.2.0.1

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# INTELLECTUAL PROPERTY SECURITY AGREEMENT

This Intellectual Property Security Agreement is entered into as of the Effective Date by and between SILICON VALLEY BANK ("Bank") and ASCENSION ORTHOPEDICS, INC. ("Grantor").

## RECITALS

A. Bank has agreed to make certain advances of money and to extend certain financial accommodation to Grantor (the "Loans") in the amounts and manner set forth in that certain Loan and Security Agreement by and between Bank and Grantor dated the Effective Date (as the same may be amended, modified or supplemented from time to time, the "Loan Agreement"; capitalized terms used herein are used as defined in the Loan Agreement). Bank is willing to make the Loans to Grantor, but only upon the condition, among others, that Grantor shall grant to Bank a security interest in certain Copyrights, Trademarks, Patents, and Mask Works to secure the obligations of Grantor under the Loan Agreement.

B. Pursuant to the terms of the Loan Agreement, Grantor has granted to Bank a security interest in all of Grantor's right, title and interest, whether presently existing or hereafter acquired, in, to and under all of the Collateral.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, and intending to be legally bound, as collateral security for the prompt and complete payment when due of its obligations under the Loan Agreement, Grantor hereby represents, warrants, covenants and agrees as follows:

## AGREEMENT

To secure its obligations under the Loan Agreement, Grantor grants and pledges to Bank a security interest in all of Grantor's right, title and interest in, to and under its Intellectual Property Collateral (including without limitation those Copyrights, Patents, Trademarks and Mask Works listed on Schedules A, B, C, and D hereto), and including without limitation all proceeds thereof (such as, by way of example but not by way of limitation, license royalties and proceeds of infringement suits), the right to sue for past, present and future infringements, all rights corresponding thereto throughout the world and all re-issues, divisions continuations, renewals, extensions and continuations-in-part thereof.

This security interest is granted in conjunction with the security interest granted to Bank under the Loan Agreement. The rights and remedies of Bank with respect to the security interest granted hereby are in addition to those set forth in the Loan Agreement and the other Loan Documents, and those which are now or hereafter available to Bank as a matter of law or equity. Each right, power and remedy of Bank provided for herein or in the Loan Agreement or any of the Loan Documents, or now or hereafter existing at law or in equity shall be cumulative and concurrent and shall be in addition to every right, power or remedy provided for herein and the exercise by Bank of any one or more of the rights, powers or remedies provided for in this Intellectual Property Security Agreement, the Loan Agreement or any of the other Loan Documents, or now or hereafter existing at law or in equity, shall not preclude the simultaneous or later exercise by any person, including Bank, of any or all other rights, powers or remedies.

IN WITNESS WHEREOF, the parties have cause this Intellectual Property Security Agreement to be duly executed by its officers thereunto duly authorized as of the first date written above.



Address of Grantor:

8200 Cameron Road  
Suite C140  
Austin, TX 78754

Attn: Jerry Klawitter

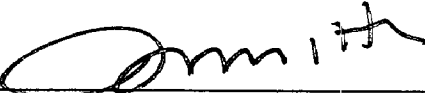
Address of Bank:

7000 North Mopac Expressway  
Suite 360  
Austin, TX 78731

Attn: Phillip Wright

GRANTOR:

ASCENSION ORTHOPEDICS, INC.

By:   
Title: CEO

BANK:

SILICON VALLEY BANK

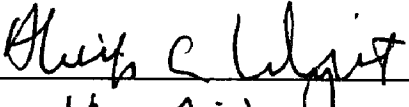
By:   
Title: Vice President

EXHIBIT A

Copyrights

Description

Registration/  
Application  
Number

Registration/  
Application  
Date

TRADEMARK

REEL: 003722 FRAME: 0251





EXHIBIT B

Patents

Description

Registration/  
Application  
Number

Registration/  
Application  
Date

TRADEMARK

REEL: 003722 FRAME: 0252

## EXHIBIT B

### PATENTS

<u>DESCRIPTION</u>	Registration/Application <u>Number</u>	Registration/Application <u>Date</u>
Joint Surface Replacement of Distal Radioulnar Joint	6,814,757	9/20/02
Elastometric Finger Joint	D490,900	1/2/03
Interphalangeal Joint Replacement	6,699,292	11/27/01
Elbow Prosthesis	6,217,616	8/31/99
Metacarpal-Phalangeal Joint Replacement	5,782,927	11/6/96
Metacarpal-Phalangeal Joint Replacement	6,159,247	5/4/99
Implant Device to Replace the Carpometacarpal Joint	5,645,605	09/18/95

EXHIBIT C

Trademarks

Description

Registration/  
Application  
Number

Registration/  
Application  
Date



# EXHIBIT C

## TRADEMARKS

<u>TRADEMARK</u> <u>DESCRIPTION</u>	<u>COUNTRY</u>	<u>SERIAL NO.</u>	<u>REG. NO</u>	<u>STATUS</u>
Acension Orthopedics			2,581,633	Registered
Acension			2,232,669	Registered

EXHIBIT D

Mask Works

Description

Registration/  
Application  
Number

Registration/  
Application  
Date

TRADEMARK

REEL: 003722 FRAME: 0256





# UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

JULY 01, 2005

PTAS



\*102933264A\*

SILICON VALLEY BANK  
LOAN DOCUMENTATION HA155  
3003 TASMAN DR  
SANTA CLARA, CA 95054

## UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES DIVISION, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 02/01/2005

REEL/FRAME: 003115/0075  
NUMBER OF PAGES: 9

BRIEF: SECURITY INTEREST ✓

### ASSIGNOR:

ASCENSION ORTHOPEDICS, INC. ✓

DOC DATE: 01/12/2005  
CITIZENSHIP:  
ENTITY: CORPORATION

### ASSIGNEE:

SILICON VALLEY BANK ✓  
3003 TASMAN DRIVE  
HA155  
SANTA CLARA, CALIFORNIA 95054

CITIZENSHIP: DELAWARE  
ENTITY: CORPORATION

APPLICATION NUMBER: 76220244

FILING DATE: 03/06/2001

REGISTRATION NUMBER: 2581633 ✓

ISSUE DATE: 06/18/2002

MARK: ASCENSION ORTHOPEDICS

DRAWING TYPE: WORDS, LETTERS, OR NUMBERS AND DESIGN

APPLICATION NUMBER: 75188666  
REGISTRATION NUMBER: 2232669 ✓

FILING DATE: 10/28/1996  
ISSUE DATE: 03/16/1999

MARK: ASCENSION

DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

MARY BENTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS